

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re: ) Chapter 11 Cases  
)  
PERPETUA-BURR OAK HOLDINGS OF ) Case No. 09-34022  
ILLINOIS, L.L.C., *et al.*, ) (Jointly Administered)  
)  
Debtors. ) Hon. Pamela S. Hollis

**ORDER APPROVING CASE MANAGEMENT PROCEDURES**

This matter having come before the Court on the motion (the "Motion"),<sup>1</sup> of Perpetua, Inc. ("Perpetua"), Perpetua Holdings of Illinois, Inc. d/b/a Cedar Park Cemetery ("Cedar Park") and Perpetua-Burr Oak Holdings of Illinois, L.L.C. d/b/a Burr Oak Cemetery ("Burr Oak", collectively, with Cedar Park and Perpetua, the "Debtors" or "Perpetua Entities"), pursuant to 11 U.S.C. §§ 102 and 105(a), Fed. R. Bankr. P. 2002(m) and 9007, and Local Rules 1000-2, 7016-1, and 9013-1 to 9, requesting the entry of an order authorizing Debtors to employ the procedures described in the Motion; due and proper notice of the Motion having been provided; it appearing that there is good cause to grant the relief requested; the Court having jurisdiction over the parties and the subject matter of the Motion; and, there being no objection to the relief requested; it is therefore **ORDERED**:

1. The Court shall conduct the following omnibus hearings on a bi-weekly basis (or as otherwise set by the Court) in these Cases (the "Omnibus Hearing Dates"):

- (a) October 6, 2009 at 11:00 a.m.
  - (b) October 13, 2009 at 10:30 a.m.
  - (c) November 12, 2009 at 11:00 a.m.
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<sup>1</sup> Unless otherwise defined, capitalized terms used herein shall have the meanings ascribed to them in the Motion.

(d) November 24, 2009 at 11:00 a.m.

(e) December 10, 2009 at 11:00 a.m.

~~(f) December \_\_, 2009~~  
~~(g) January \_\_, 2009~~  
~~(h) January \_\_, 2009~~  
~~(i) February \_\_, 2009~~  
~~(j) February \_\_, 2009~~

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2. Prior to each Omnibus Hearing Date, the Debtors shall prepare an agenda that lists the matters scheduled and to be heard on that respective date (the "Proposed Agenda"). No less than one business day before each Omnibus Hearing Date, the Debtors shall deliver a copy of the Proposed Agenda to the Court and serve the Proposed Agenda on the Service List (as defined below).

3. Other than motions filed by the Debtors during first twenty-five (25) days following the Petition Date, if a Filing is a motion or application for relief, all such Filings filed and served at least ten (10) days<sup>2</sup> before the next Omnibus Hearing Date, shall be set for hearing at the next Omnibus Hearing Date; and (b) if filed and served less than ten (10) days before the next Omnibus Hearing Date, shall be set for hearing on the Omnibus Hearing Date following the next scheduled omnibus hearing, or on such other date as set by the Court.

4. Any entity submitting a Filing shall serve notice (the "Notice") of such Filing to the Service List, including the title of the Filing, the time and date of any objection deadline and the Omnibus Hearing Date (or other hearing date as may be ordered by the Court) on which the Filing will be heard (the "Applicable Hearing Date").

<sup>2</sup> Any computation of time required in accordance with the Notice Procedures shall be calculated pursuant to the provisions of Bankruptcy Rule 9006 and any applicable Local Rules.

5. The objection deadline for any Filing that is a motion or application for relief shall be two (2) days before the Applicable Hearing Date or otherwise as ordered by the Court. The relief requested in the Filing may be granted without a hearing if no objection is timely filed.

6. All entities on the Service List may be served with Filings only by ECF electronic notice or E-mail, unless for good cause shown, no such address is provided. All objections, responses or statements in support of Filings, and any replies thereto (collectively, "Responses"), shall be served on the Service List so that such Responses are received by the applicable objection deadline.

7. Every Filing shall be subject to the following Notice Procedures described herein. All Filings shall be filed with the Court in accordance with the Local Rules and shall be served upon the following parties: (a) the Office of the United States Trustee; (b) the Debtors' counsel and other court-approved professionals; (c) counsel for Debtors' secured lenders; (d) counsel and other court-approved professionals for any statutory committee; (e) parties in interest that have requested notices in these Cases; and (f) parties with a particular interest in the subject of the Filing (the "Service List").

8. Parties are authorized to serve any and all Filings upon interested parties via E-Mail.

9. Notice provided in accordance with these Notice Procedures shall be deemed adequate pursuant to the Bankruptcy Code, the Bankruptcy Rules and Local Rules. Notwithstanding the foregoing, the above Notice Procedures are not intended to modify any of the mandatory notice provisions contained in Bankruptcy Rule 2002, or elsewhere in the Bankruptcy Code, the Bankruptcy Rules or the Local Rules.

10. Parties who desire to be added to the Service List shall file a written request to that effect (the "Request for Notice") with the Court and serve such Request for Notice on the Debtors' counsel. The Request for Notice shall set forth their reason for such request, including their interest in the Cases, and shall provide an E-mail address for the requesting party or a brief statement advising as to why an E-mail address cannot be provided. The Debtors shall have fourteen (14) days to consider any such Request for Notice. If the Debtors do not file a response to the Request for Notice, the requesting party shall be added to the Service List. If the Debtors do not deem the Request for Notice to be reasonable or from a proper party in interest, they shall file a written objection to such request within fourteen (14) days. After the Debtors' file such objection, the requesting party may move the Court in accordance with the Notice Procedures and Bankruptcy Rule 2002(m) and Local Rule 2002-2 to be added to the Service List.

11. The Debtors shall cause a copy of this Order, once entered, to be served on all parties originally receiving notice of this Motion, plus each of the Debtors twenty (20) largest creditors and all counsel to named plaintiffs in the Lawsuits.

12. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

ENTER:

Dated: **SEP 24 2009**

  
United States Bankruptcy Judge

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